

C. Remarks

The claims are 21-23 and 28-30, with claims 21 and 28 being independent. Claims 1-15, 19 and 26 have been cancelled. Claim 21 has been amended to better define the present invention. Support for this amendment may be found throughout the specification, the drawings and the claims, for example at page 22, lines 6-14, in Fig. 8 and in claim 25. New claims 28-30 have been added. Support for these new claims may be found throughout the specification, the drawings and the claims. No new matter has been added. Reconsideration of the claims is expressly requested.

Claims 1-3 stand rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite. Claims 1-3 also stand been rejected under 35 U.S.C. § 103(a) as being allegedly obvious from U.S. Patent No. 5,851,624 (Ang) in view of U.S. Patent No. 5,566,889 (Preiss). Claim 19 stands rejected under 35 U.S.C. § 103(a) as being allegedly obvious from Ang, as evidenced by U.S. Patent Nos. 4,448,608 (Jenkins); 5,508,060 (Perman); and 4,552,780 (Abe).

While Applicants disagree with the Examiner, solely to expedite prosecution and without acquiescing with the propriety of the above rejections, Applicants have cancelled claims 1-3 and 19. Accordingly, these rejections are moot and should be withdrawn.

Claims 21-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ang. The grounds of rejection are respectfully traversed.

Prior to addressing the merits of rejection, Applicants would like to briefly review some of the key features and advantages of the presently claimed invention. The

present invention, in pertinent part, is directed to a multilayered structure resin molded product comprising a core layer and a skin layer formed by injection molding using a pulverized resin material. The board-shaped portion of the resin molded product has a projecting portion for mounting another part, which projecting portion is formed integrally with the skin layer and only from the same material as the skin layer. Furthermore, the dimensions of the projecting portion is specifically controlled with respect to the thickness of the board-shaped portion.

Since the projecting portion is not formed from the recycled material but is formed only from the virgin material, the projecting portion has superior elasticity or rigidity, which is utilized to better connect the molded product to other components. Since the thickness or the height of the projecting portion is specifically controlled, the detrimental effects caused by the recycled material of the core are minimized, thereby improving the stability and the strength of the projecting portion (page 22, lines 6-14).

Ang discloses a vehicle instrument panel, which is formed from a core layer and a skin layer. While Ang appears to disclose a tab formed on the board-shaped portion, this reference fails to disclose or suggest several features of the present invention associated with these components.

First, Ang's tab is not for mounting another part to a molded product. The Examiner has alleged that a tab projecting out of the surface of the panel (i.e., the skin layer) in Fig. 5 is illustrated as a means for connecting the panel to the vehicle by a fastener 86. However, it does not appear that the panel is connected to the vehicle by a fastener 86

through the tab. The fastener is shown connected to the vehicle through the board-shaped portion. Thus, the tab is not a projecting portion as presently claimed.

Second, Ang is not understood to disclose or suggest that a tab is formed integrally with the skin layer only from the same material as the skin layer. Applicants disagree with the Examiner's reliance on improved strength to support the allegation that it would have been obvious to use only the virgin material for the tab. Since, as mention above, the tab is not used to mount another part to the molded product, a skilled artisan would avoid using only a virgin material for the tab to reduce costs, because the strength of the tab would not be paramount.

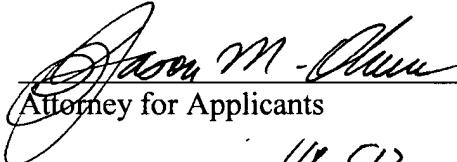
Third, Ang is silent with respect to the dimensional relationships between the projecting portion and the board-shaped portion. Applicants note that the relative sizes of parts shown in Fig. 5 in Ang cannot be used to extrapolate any specific thicknesses and heights. As a matter of law, "when the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value." M.P.E.P. 2125. "[I]t is well established that patent drawings do not define the precise proportions of the elements and may not be relied on to show particular sizes if the specification is completely silent on the issue." Hockerson-Halberstadt, Inc. v. Avia Group Int'l, 222 F.3d 951, 956 (Fed. Cir. 2000).

Fourth, the presently claimed molded product is formed by injection molding. In Ang, however, the product is formed by an extrusion-blow method, which, as understood, may produce a product with different durability and elasticity characteristics.

Accordingly, Applicants respectfully submit that Ang cannot affect the patentability of the presently claimed invention. Wherefore, Applicants respectfully request that all rejections be withdrawn and that the present case be passed to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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